
FINDING AND RECOMMENDATION

Submitted by: Conservation Community

Finding: *(i.e., Conclusions reached after investigation and/or evaluation of facts)*

Compliance with all requirements of defensible space is lacking in the Basin.

Background and Supporting Evidence: *(A short statement justifying the Finding and describing desired outcome(s); usually no more than half a page.)*

Compliance with Defensible Space:

As reported in TRPA's 2007 "Fuels Reduction and Forest Restoration Plan for the Lake Tahoe Basin Wildland/Urban Interface," in most Basin communities, compliance with defensible space is, on average, less than one-third. Although post-Angora Fire discussions and actions have identified some confusion regarding regulations that made it difficult to implement defensible space, there are often multiple reasons why compliance is low. Studies of communities and their attitudes towards defensible space indicate basic misconceptions about the level of fire risk the purpose and success of defensible space as it relates to catastrophic fires and costs related to defensible space implementation. In the Basin, there are other factors that affect compliance such as the high percentage of second homes (greater than 50% on average). Second homeowners may not come to Tahoe often and therefore may be less likely to understand fire hazards and the importance of implementing defensible space measures. Or, they may not want to spend their one or two week summer vacation landscaping. In most areas, lack of defensible space was the reason that the Angora Fire became a high intensity crown fire as it hit homes surrounded by dense vegetation, after having burned at ground level through the open forest (an example of successful thinning). Once it crowned, it began creating embers, which ignited homes, which created more embers and ignited more homes. Clearly, there is a need to determine why defensible space compliance on private property is so low and remove any real or perceived obstacles.

Equal compliance with Defensible Space:

Unfortunately, with political and media attention more often focused on tree cutting, tree size limits, etc., attention to the significant threat from surface and ladder fuels (and ember ignitions) is lacking. As a result, the public, lacking a holistic understanding of defensible space and constantly faced with attention on tree-cutting, may feel that simply cutting trees on their property is sufficient and ignore these other vital components of defensible space. As a result, there is a need to emphasize that cutting trees alone is not sufficient for complying with defensible space.

Recommendation(s) *(Based upon an analysis of the Finding, the following recommendation(s) should be made to the Governors):*

1. There is a need to identify resources to help homeowners do their defensible space. For example, this could include negotiating deals with contractors for work done in one neighborhood over a consecutive time frame to reduce costs. There could be coordinated neighborhood efforts to rent equipment together to share costs. There are numerous resources available that could help inform people on what works and what doesn't.
2. Education, inspections and enforcement of defensible space must emphasize the importance of removing surface and ladder fuels along with trees, and inform homeowners that simply cutting trees is not sufficient.
3. There is a need to enforce defensible space such that if it is not done within a certain period of time after an inspection, there are consequences. These consequences may include fines provided for under PRC 4291, additional fines imposed by TRPA and/or after some number of notices of violations have been issued, a homeowner may be billed for work done after the fact (or have a lien placed on their home until the bill is paid). This is an action also provided for in PRC 4291, though with a longer time frame and after several other conditions have been met. Because one home without defensible space can threaten all adjacent homes and/or the surrounding community, the entire community must be considered when assessing appropriate enforcement actions. We expect most people would want to see enforcement action taken on non-complaint neighbors.

Impacts of Implementation: *(The implementation of any Recommendation is likely to have specific impacts. Consider potential consequences related to each of the following areas):*

Analysis of impacts on the following factors is REQUIRED (Best Estimate):

- ☐ Cost
No additional costs above implementing defensible space would be expected.
- ☐ Funding source
No additional funding source required.
- ☐ Staffing
Recommendations would likely require more staff time/more staff.
- ☐ Existing regulations and/or laws
Recommendations are consistent with existing laws and regulations.

Analysis of impacts on the following factors is OPTIONAL:

- ☐ Operational
- ☐ Social
- ☐ Political
- ☐ Policy
- ☐ Health and Safety
- ☐ Environmental
- ☐ Interagency